

EXHIBIT C

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CAUSE NO. C-1166-16H

FRANK CASTELLANO and LUCILA	§	IN THE DISTRICT COURT
SAENZ, on behalf of	§	
themselves and all others	§	
similarly situated,	§	
	§	
	§	
Plaintiffs,	§	
	§	
vs.	§	389TH JUDICIAL DISTRICT
	§	
HEB GROCERY COMPANY, LP;	§	
HEBCO GP, LLC; and H.E.	§	
BUTT GROCERY COMPANY,	§	
	§	
	§	
Defendants.	§	HIDALGO COUNTY, TEXAS

STATE OF ILLINOIS)	
)	SS.
COUNTY OF COOK)	

The videotaped oral deposition of SUSAN HAYES taken before April M. Metzler, Certified Shorthand Reporter, Certified Realtime Reporter, and Notary Public, at 180 North LaSalle Street, Suite 2800, Chicago, Illinois, commencing at 8:55 a.m. on the 8th day of March, 2018.

1 Q. So you gave your legal opinion as to what the
2 contracts meant?

3 MS. GRENADIER: Objection.

4 BY THE WITNESS:

5 A. I don't have a legal opinion. I'm not an
6 attorney.

7 Q. Say it again?

8 A. I don't have a legal opinion. I am not an
9 attorney.

10 Q. But you understand that contractual
11 interpretation is a legal exercise, that you're
12 performing a legal action interpreting the contract?

13 MS. GRENADIER: Objection.

14 BY THE WITNESS:

15 A. I'm an expert in the PBM industry, and I
16 understand PBM contracts and their meaning, but I'm not
17 trying to make a legal interpretation because I'm not an
18 attorney.

19 Q. I understand that.

20 But you understand that interpreting contracts
21 is a legal exercise, don't you?

22 MS. GRENADIER: Objection.

23 BY THE WITNESS:

24 A. That's not a determination or interpretation I
25 make, whether or not something is a legal -- something

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FRANK CASTELLANO and LUCILA § IN THE DISTRICT COURT
SAENZ, on behalf of §
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Plaintiffs, §
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vs. § 389TH JUDICIAL DISTRICT
§
HEB GROCERY COMPANY, LP; §
HEBCO GP, LLC; and H.E. §
BUTT GROCERY COMPANY, §
§
§
Defendants. § HIDALGO COUNTY, TEXAS

REPORTER'S CERTIFICATION
DEPOSITION OF SUSAN HAYES
March 8, 2018

I, April M. Metzler, Certified Shorthand
Reporter in and for the State of Illinois, hereby
certify to the following:

That the witness SUSAN HAYES, was duly sworn
by the officer and that the transcript of the oral
videotaped deposition is a true record of the testimony
given by the witness;

That the deposition transcript was submitted
on _____, to the witness or to the
attorney for the witness for examination, signature and
return to me by _____;

That the amount of time used by each party at

1 the deposition is as follows:

2 Mr. Harry M. Reasoner - 02:09

3 That pursuant to information given to the
4 deposition officer at the time said testimony was taken,
5 the following includes counsel for all parties of
6 record:

7 FOR THE PLAINTIFFS:

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9 MS. MERYL D. GRENADIER
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12 FOR THE DEFENDANT:

13 VINSON & ELKINS L.L.P.
14 MR. JASON M. POWERS
MR. HARRY M. REASONER
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15 Suite 2500
Houston, Texas 77002
16 Phone: (713) 758-2222
E-Mail: jpowers@velaw.com
17

18 I further certify that I am neither counsel
19 for, related to, nor employed by any of the parties or
20 attorneys in the action in which this proceeding was
21 taken, and further that I am not financially or
22 otherwise interested in the outcome of the action.

23 Further certification requirements pursuant to
24 Rule 203 of TRCP will be certified to after they have
25 occurred.

1 Certified to by me this 19th day of
2 March, 2018.

3 
4

5 APRIL M. METZLER, CSR, RMR, CRR, FCRR
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